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APPLICATION NO. FILING DATE		FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/501,134 02/09/2000		Mark Bernard Hettish	00P7458US	3446
75	590 01/05/2004	EXAMINER		
Siemens Corp	oration	DEANE JR, WILLIAM J		
Intellectual Prop	perty Department nue South	ART UNIT PAPER NUMBER		
Iselin, NJ 08830			2642	
			DATE MAILED: 01/05/2004	6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner		Applica	tion No.	Applicant(s)					
## Deane ### Deane ### Deane ### 2042 ### The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ② MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. ### THE MAILING DATE OF THIS COMMUNICATION. #### THE MAILING DATE OF THIS	•		¥						
William J Deane Set2	Office Action Summary								
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edification of time map be available under the provisions of 3 CRF 1.136(a). In no avert, however, may a reply be timely filled where 3K (9) ASO/THS from the maining date of this communication of 3 CRF 1.136(a). In no avert, however, may a reply be timely filled where 3K (9) ASO/THS from the maining date of this communication, each with the statutory reliable unit of thirty (30) daays will be considered timely. If NO period for exply is specified above, the maintem and a reply with the statutory period will apply and will agains 3K (9) (ANO/THS from the mailing date of this communication. Fallow to reply within the set or extended period for reply will, by statutory period will apply and will agains 3K (9) (ANO/THS from the mailing date of this communication. Fallow to reply within the set or extended period for reply will, by statutory period will apply and will	•								
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THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.13(d), in no event, however, may a raply be limbly filed after 50. (8) MONTHS from the mailing date of this communication. It NO parcel for may be sevalable under the provision of the communication. If NO parcel for may be sevaled before the maintenance of the communication of the communication of the communication of the communication of the communication. It is not seval to the communication of t									
2a) This action is FINAL. 2b) This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s)	 THE MAILING DATE OF THIS COMMUNICATION. Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b). 								
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Art Unit: 2642

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1, 5, 9 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application No. 2003/0002642 (Jorasch et al.).

With respect to claims 1, 5 and 9, note Figs., Paragraphs 0043 – 0045, 0054 – 0058, 0060 – 0065 and 0098 – 0111. Note also the claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 2-4, 6-8 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jorasch et al.

Jorasch et al. teach the claimed device except the added/deleted devices aspect. However, such would be obvious to one of ordinary skill in the art to have such



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status information in the Jorasch et al. method and system (if it is not already implicit, note Fig. 7A.

Response to Arguments

Applicant's arguments with respect to claims 1 - 12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- U.S. Patent No. 6,618,476 (Szeto et al.) note Abstract; and
- U.S. Patent No. 4,972,453 (Daniel, III et al.) note Abstract.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bill Deane whose telephone number is (703) 306-5838. In addition, facsimile transmissions should be directed to Bill Deane at facsimile number (703) 872-9306.

PRIMARY EXAMINER

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